

Board of Selectmen Meeting
Tuesday, October 28, 2014

The Board of Selectmen met on Tuesday, October 28, 2014 with four selectpersons, the Asst. Town Administrator and the Town Administrator; Chairperson Wilkinson was not present.

7:00 Meeting Called to Order

Pledge of Allegiance and Moment of Silence

Tax Classification Hearing: Selectperson Murphy moved that the Board of Selectmen open the annual tax classification hearing at 7:06 PM, Selectperson Battistelli seconded, Vote: 3-0. Selectperson Sheedy (acting as Chairperson) read the public notice; Selectperson Lucas abstained and left the room.

Tax classification
hearing
Motion Approved

Paul Fuhs, Assessor's Office, said typically Rockport has had one tax rate; he said only 6% of the tax levy is commercial so it is unfair to put the burden on them. He said the residential factor would be increased by \$0.35; it would raise the commercial factor by \$5.35 per thousand. He said it would be ridiculous to do that; it would be bad for business.

Public Comment: T. Arsenian, 95 Granite Street, said this makes sense. In 2007 the DOR decided that open space, that didn't have agricultural restrictions, should be taxed at a higher rate. The rates have gone up on open space by a factor of 10. This is a concern for those that own wood lots but also for the town. P. Fuhs said we have already spoken to the state but have had no response.

Public Comment

T. Tarr, 156 Main Street, said he believed that was reversed a year or two later.

Selectperson Battistelli moved that the Board of Selectmen close the tax classification hearing at 7:14 PM, Selectperson Murphy seconded, Vote: 4-0, Selectperson Lucas abstained.

Close Tax
Classification
Hearing
Motion Approved

Selectperson Murphy moved that the Board of Selectmen adopt a unified tax rate for fiscal year 14, Selectperson Battistelli seconded, Vote: 3-0, Selectperson Lucas abstained.

Adopt unified tax
rate for FY 14
Motion Approved

Interview of Francis Sullivan, Jr. for Veterans Agent: Selectperson Murphy nominated Francis Sullivan for Veterans Agent, Selectperson Lucas seconded, no vote taken. Selectperson Battistelli abstained as she is related to F. Sullivan. He said he was previously in this role; he has also been an attorney and a teacher. He said he is away part of the year for a couple of months, but with the ability of remote access, he could perform the duties remotely. He lives in Gloucester; he is currently in the process to be a certified federal VA representative. M. Vieira said there are classes and certifications that are required. The Asst. Town Administrator said many of the duties can be handled on-line and over the telephone. F. Sullivan said if there was something that he needed to be here for; he would fly home to take care of it. This position is compensated through a stipend.

Interview of
Francis Sullivan
Jr. for Veteran's
Agent
No vote taken

Approval of Minutes of October 6, 2014: Selectperson Lucas moved that the Board of Selectmen approve the minutes of October 6, 2014, Selectperson Battistelli seconded, Vote: 4-0.

Approval of
10/6/14 Minutes
Motion Approved

Approval of Minutes of October 14, 2014: Selectperson Murphy moved that the Board of Selectmen approve the minutes of October 14, 2014, Selectperson Lucas seconded, Vote: 4-0. Amendments: Selectperson Battistelli said she was referred to as the Chairperson on page 5, it should be changed.

Approval of
10/14/14 Minutes
Motion Approved

Selectmen Updates and Liaison Reports:

- Selectpersons Sheedy and Battistelli as well as Chairperson Wilkinson visited the DPW barn. Selectperson Battistelli said it was very interesting to see the building; it is helpful to see the needs in town.
- Selectperson Battistelli also attended the Open Door breakfast; they're building out on Emerson Avenue in Gloucester.
- Selectperson Murphy said he attended the YMCA fundraiser. They are interested in purchasing the Fuller School; \$12M to \$13M would need to be raised.
- Selectperson Battistelli spoke about the MBTA station; she said this has been identified as a top priority by Sen. Tarr. The idling times for the trains increase in the cold. She said she will try to pull a meeting together to discuss reducing the idling times and perhaps quieter trains; there is an EPA consent order.
- She said regarding the Chapter 91 License for the Cape Ann Tool Company, the DEP is going forward with the determination. The owner has filed a complaint with the Atty. General's office around the length of time this has taken and suggesting that they didn't have to comply with this in the first place.
- Selectperson Murphy said this Friday is Halloween; some senior citizens have concerns around this.
- Selectperson Murphy said Matt Malone, Secretary of Education, visited the Rockport and Manchester/Essex schools.

Public Comment Period: T. Arsenian, 95 Granite St., said he attended the Planning Board meeting two weeks ago and Paul Bryant discussed plans he has for property on 17 acres. T. Arsenian said P. Bryant wishes to carve off one house lot with a road going in from Lane's Farm Road; he made no formal application. He said P. Bryant is working with LandVest and is looking for a conservation easement for agriculture. T. Arsenian said there may be a better use of the property; how about playing fields. If it isn't swamp and fit for agriculture it may be good for a playing field. He inquired if the Board of Selectmen would contact the Open Space and Recreation Committee to see if he would consider selling it to the town. Selectperson Murphy said he has some concerns around the maintenance of any fields. He said schools are going in different directions with turf fields; the start-up costs are significant. T. Arsenian said he hears that fields are needed but he doesn't have firsthand knowledge.

Town Administrator's Report:

- The Town Administrator said the motion at the last meeting, regarding adopting the budget guidelines for FY '16, moved but the specifics weren't included. The guidelines are a 0% increase in labor and a 0% increase in expenses unless there are contractual obligations or mandatory expenses.
- M. Vieira said the information regarding water shut off procedures has been sent to the Long Beach residents; the tenants were reminded that off season boat and trailer storage is prohibited. M. Vieira said each house sends in a shut-off card to the DPW; the DPW will go out and make the arrangements. December 1st is the last day for water.
- Recruitment has begun again for the Town Accountant position. A revised advertisement has been developed; the latest version does not require that candidates have municipal experience; resumes can be submitted through 11/24/14.
- The 59 High Street house came down today; it is now a pile of debris. DPW is separating and sorting; a huge thanks goes out to the DPW. The concrete slabs will be removed from the property.
- The Fluoride supplementation bill is in the legislature (#S2388). Anyone wanting information can go to MAlegislature.gov, searching some key words (Rockport fluoride, etc.) will direct them information on the bill.
- The Ethics Commission training is due again. This year just signed summaries are required, next year the training will be on-line again, every two years it is on-line. This

is not the town's requirement; it is a requirement of the Commonwealth of Massachusetts.

- The Asst. Town Administrator said the Personnel Performance Evaluations are complete; the Personnel Board reviewed them last night. They will be on next Tuesday's Board of Selectmen's agenda.
- New i-Pads are being distributed to the Board of Selectmen.
- A letter was received regarding tables on Bearskin Neck that are obstructive. The building inspector has said the table and chairs are on the building owner's private property.

7:55 Action List

Action List:

- Interim Police Commissioner Contract: Selectperson Battistelli moved that the Board of Selectmen approve and sign an employment contract with Chief James Mulligan to serve as Interim Police Commissioner for Rockport, Selectperson Lucas seconded, Vote: 4-0. It was stated that 32 hours per week are in the contract for a period of 4-8 months. It was recommended that the new Commissioner visit the Board of Selectmen at a meeting in December or January with an update.

Interim Police
Commissioner
Contract
Motion Approved

- Police Chief Screening Committee: Selectperson Lucas moved that the Board of Selectmen establish a Police Chief Screening Committee for the purpose of screening applicants for the permanent Police Chief position and recommending finalists to the Board of Selectmen for interviews and final selection, Selectperson Murphy seconded, Vote: 4-0.

Police Chief
Screening
Committee
Motion Approved

Selectperson Murphy said we should put something in the paper and on-line to invite interested citizens to apply, in writing, stating why they believe they should serve on the screening committee. Then the Board of Selectmen can reduce the list to perhaps 7-9 or 11 committee members. It was stated that there should be one to two Board of Selectmen members, either the Town Administrator or the Asst. Town Administrator; someone from law enforcement, someone to represent the senior citizens, someone from the business community, someone from the schools, a member of the Personnel Board, and perhaps an attorney. Surveys will go out to various groups seeking their advice. T. Arsenian, 95 Granite Street, recommended someone from the government and by-law committee.

- 71 Long Beach Lease Name Change: Selectperson Lucas moved that the Selectmen approve and sign a lease for 71 Long Beach to reflect a name change, Selectperson Murphy seconded, Vote: 4-0.

71 Long Beach
Lease Name
Change
Motion Approved

- Outdoor Seating at 6 Dock Square: Selectperson Murphy moved that the Board of Selectmen grant permission to Lisa Glover to place three patio tables with chairs and two Adirondack chairs outside 6 Dock Square, Selectperson Battistelli seconded, no vote taken.

Outdoor Seating
at 6 Dock Square
No vote taken.

Selectperson Lucas recused herself and left the table and room. L. Glover said she would like to start in March; she said the building owner and the tenants are alright with this. Selectperson Battistelli said doesn't know if this is under the jurisdiction of the Board of Selectmen. She recommended not voting on this and investigating if the Board of Selectmen has any authority here.

- Special Sign Permit for "La Petite Spa": Selectperson Battistelli moved that the Board of Selectmen approve a special sign permit for La Petite Spa to replace their existing sign at the corner of Cathedral Avenue and Granite Street, Selectperson Lucas seconded, no vote taken.

Special Sign
Permit, "La Petite
Spa".
No vote taken.

There is an existing sign there and they want to swap it out; the sign is on town property. T. Arsenian said there isn't a sidewalk on that side. He said prior Boards of Selectmen have allowed this; the town isn't compensated for it. Selectperson Murphy said whatever

we require of this request, must be consistent with other requests. It was recommended that this be postponed until further review. Perhaps the minutes can be searched for the last approval and search for the Heath Tea Room for either signage or outdoor seating.

Anti-Graffiti Task
Force
Motion Approved

- Anti-Graffiti Task Force: Selectperson Battistelli moved that the Board of Selectmen establish an Anti-Graffiti Task Force to deal with the graffiti problem in Town and appoint Chuck Osmond, Officer Phil Wesley, Mary Devaney, Jill Solomon, and Selectperson Murphy to it to lead the effort, Selectperson Lucas seconded, Vote: 4-0. Selectmen Murphy said he learned while visiting the Middleton Jail, they have an anti-graffiti task force in addition to their cleaning up the sides of roads. The graffiti must be within 200' from their vehicle; they are scheduled to visit Rockport. We must be careful about environmentally safe chemicals, etc. Selectperson Murphy said it is the Essex County Sheriff's Dept. from Lawrence. The Town Administrator said she is working on a brochure for the general public detailing the problems of graffiti and how to report it.

Other Business/Announcements

9:05 Selectperson Murphy moved to adjourn, seconded by Selectperson Battistelli, Vote: 4-0.

Warrant signed:

Warrant signed for the Fiscal Year 2015 Payroll and Expenses for the week of 10/30/14 in the amounts of \$542,952.41 and \$419,730.17 respectively.

Documents signed:

J. Mulligan - Contract of Employment

Tax Classification Allocation

71 Long Beach Lease

Letter of Commendation to Sergeant Tibert